

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT L. GARBER, Derivatively on Behalf of	LEHMAN BROTHERS HOLDINGS INC.,	:
	Plaintiff,	:
vs.		:
RICHARD S. FULD, JR., et al.,		:
	Defendants,	:
- and -		:
LEHMAN BROTHERS HOLDINGS INC.,		:
	Nominal Defendant.	:
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Civil Action No. 07-CV-2990 (DAB)  
[PROPOSED] ORDER CONSOLIDATING  
THE ACTIONS, APPOINTING LEAD  
PLAINTIFF AND APPROVING  
SELECTION OF LEAD COUNSEL

[Caption continued on following page.]

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DORIS STAEHR, Derivatively on Behalf of  
LEHMAN BROTHERS HOLDINGS INC.,

Plaintiff,

vs.

RICHARD S. FULD, JR., et al.,

Defendants,

– and –

LEHMAN BROTHERS HOLDINGS INC., a  
Delaware corporation,

Nominal Defendant.

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LOCALS 302 & 612 OF THE  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS-EMPLOYERS  
CONSTRUCTION INDUSTRY  
RETIREMENT TRUST, Derivatively on Behalf  
of LEHMAN BROTHERS HOLDINGS INC.,

Plaintiff,

vs.

RICHARD S. FULD, JR., et al.,

Defendants,

– and –

LEHMAN BROTHERS HOLDINGS INC., a  
Delaware corporation,

Nominal Defendant.

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X

Civil Action No. 07-CV-3562 (DAB)

X

Civil Action No. 07-CV-3950 (DAB)

X

Having considered the motion of Locals 302 and 612 of the International Union of Operating Engineers-Employers Construction Industry Retirement Trust for Consolidation, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel, and the Memorandum of Law and Declaration of Samuel H. Rudman in support thereof, and good cause appearing therefor:

1. The Actions are hereby consolidated;
2. Locals 302 and 612 of the International Union of Operating Engineers-Employers Construction Industry Retirement Trust is hereby appointed Lead Plaintiff for the Class; and
3. The law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP is hereby appointed Lead Counsel.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE